

PLANNING AND ZONING COMMISSION  
STAFF REPORT

August 17 of 2006



**RZ 06-28: Gregory K. Taggart (for Warren E. Roberts)**

**CASE DESCRIPTION:** request to change the zoning classification from 'C-3' Commercial District to 'RD-5' Residential District – 5000

**LOCATION:** two vacant lots located at the northeast corner of West Martin Luther King Jr. and North Congress Streets in northeast central Bryan, Brazos County, Texas

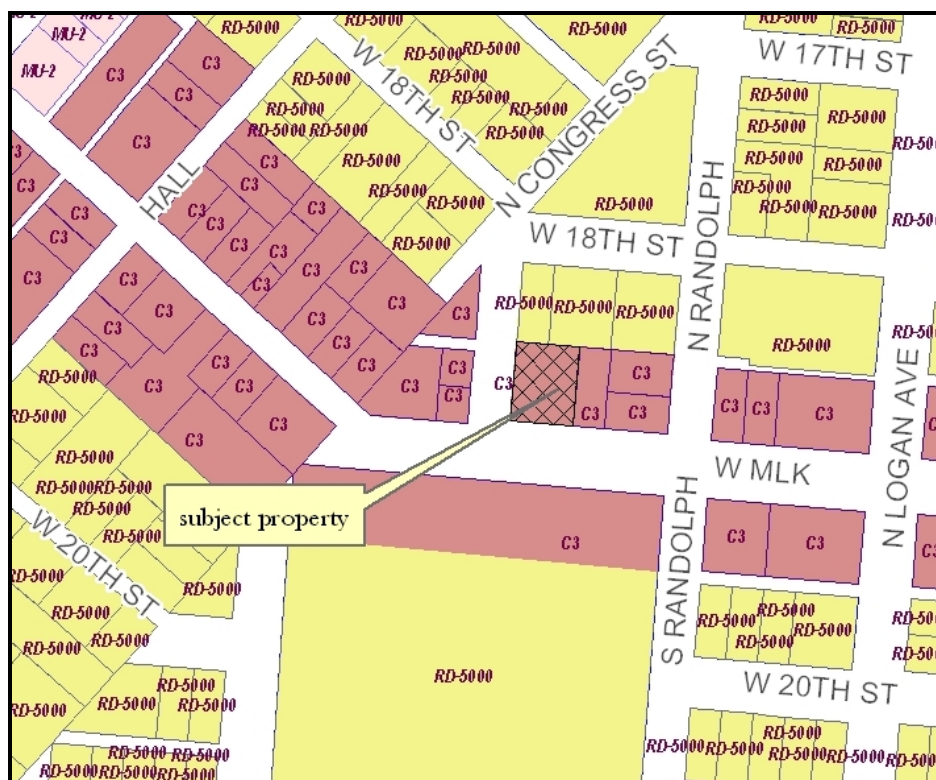
**LEGAL DESCRIPTION:** Lots 1 and 2, Block 215, Bryan Original Townsite

**EXISTING LAND USE:** vacant lots

**APPLICANT:** Gregory K. Taggart (for Warren E. Roberts)

**STAFF CONTACT:** Martin Zimmermann, Project Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving** this requested zone change.





## BACKGROUND:

The subject property is comprised of two vacant lots located at the northeast corner of West Martin Luther King Jr. and North Congress Streets. Single-family residential uses adjoin the subject property on three sides. Neal Elementary School is located south across West Martin Luther King Jr. Street.

The applicant is requesting to change the zoning classification of this property to an 'RD-5' Residential District – 5000 in order to be able to construct two single-family homes at this location.

## ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors.

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

**'RD-5' Districts are primarily intended for occupancy by single-family home sites. The 'C-3' Commercial zoning classification is intended predominantly for heavy retail and commercial uses of a service nature that are not generally compatible within or nearby residential environments. Examples of uses allowed by right in C-3 Districts include automobile repair, commercial laundry, feed stores, lumber yards as well as office-warehouse uses and nightclubs.**

**Residential neighborhoods should be planned so that they form cohesive environments oriented toward the elementary schools at their core. The subject property's close proximity to an elementary school makes this site a preferred location for residential, not commercial development. In fact, staff believes that the intensity of use and overall scale of development allowed (and potentially allowed) by 'C-3' zoning at this location could promote a generally inappropriate environment for the education of young children. The subject property is adjoined on three sides by existing residential uses. Land located north along West 18<sup>th</sup> Street is already zoned 'RD-5' Residential District – 5000. Staff believes that 'RD-5' zoning may not only be appropriate on the subject property, but also on other nearby properties that adjoin this segment of West Martin Luther King Jr. Street in close proximity to Neal Elementary School.**

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

**Neal Elementary School is located immediately south of the subject property, across West Martin Luther King Jr. Street. Any issues regarding capacity will be addressed at the time of redevelopment.**

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

**Vacant lots zoned for residential use can be found in the adjoining neighborhood north of the subject property. Staff is not aware of any special circumstances which may make those lots unavailable for development.**

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

**Staff contends that residential developments are developing at a rapid pace, in this vicinity and elsewhere in the City.**

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

**If the proposed zoning change were approved, staff believes there to be few (if any) effects on other areas designated for similar developments.**

6. Any other factors affecting health, safety, morals, or general welfare.

**Staff believes that 'RD-5' zoning will have no adverse effects on nearby properties and may even prevent the emergence of intense commercial use at this particular location.**

## **RECOMMENDATION:**

Staff recommends **approving** this requested zone change to 'RD-5' District on the subject property, as requested.